

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

In re: ANTHONY HAWKINS

)

OEIG Case # 10-01591

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission ("Commission") to redact information from this report that may reveal the identity of witnesses, complainants or informants and "any other information it believes should not be made public." 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report's factual allegations or legal conclusions before the Commission.

The Commission received a final report from the Governor's Office of Executive Inspector General ("OEIG") and a response from the agency in this matter. The Commission redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor's Executive Inspector General and to Anthony Hawkins at his last known address. These recipients were given fifteen days to offer suggestions for redaction or provide a response to be made public with the report. Certain information contained in the proposed public response may have been redacted in accordance with the Commission's determination that it should not be made public. The Commission, having reviewed all suggestions received, makes this document available pursuant to 5 ILCS 430/20-52.

**FINAL REPORT**

**I. Allegations**

The Office of Executive Inspector General (OEIG) received multiple complaints alleging Illinois Department of Human Services (DHS) caseworker Anthony Hawkins sexually harassed DHS clients. The OEIG concludes that these allegations are **FOUNDED**.

**II. Investigation**

*A. Anthony Hawkins's Employment History*

Anthony Hawkins is a DHS caseworker at the Kane County Family Community Resource Center (Center). Prior to approximately February 7, 2011, Mr. Hawkins's duties and

responsibilities included, among other things, processing applications for medical coverage, cash assistance and food stamps. Mr. Hawkins also processed redetermination applications for these services. Redeterminations are conducted periodically to ensure that clients remain eligible to receive benefits.

In order to process initial and redetermination applications, clients are generally required to come to the Center and meet with Mr. Hawkins to discuss their cases and answer questions Mr. Hawkins may have. Given the personal nature of these discussions, Mr. Hawkins had a private office in which he had unmonitored contact with clients.

On approximately February 7, 2011, Mr. Hawkins's job responsibilities were changed so that he would only process food stamp applications. In addition, Mr. Hawkins was moved from his private office location to an open shared work area where he would no longer have unmonitored contact with clients.

#### *B. Interview of [supervisor] Regarding Sexual Harassment Complaints*

On February 14, 2011, an OEIG investigator interviewed [supervisor]. [Supervisor] said she works at the Center as a Human Services Case Manager. [Identifying information redacted.] Within the past several months, [supervisor] said that three women on Mr. Hawkins's caseload approached her to discuss interactions each had with Mr. Hawkins. The women separately complained that Mr. Hawkins had made inappropriate comments to them. According to the women, Mr. Hawkins stated the following to one or more of them:

- That he liked [redacted] women;
- That he was divorced and found them to be attractive;
- That he made comments about their bodies, including their breasts;
- That he stared at their breasts; and
- That he had a [redacted].

In addition, Mr. Hawkins provided personal information about himself, including his religious beliefs and details about his girlfriend. The women indicated that Mr. Hawkins's comments made them uncomfortable. The women each requested a new caseworker be assigned.

[Supervisor] identified the DHS clients who complained about Mr. Hawkins as [client 1], [client 2] and [client 3].<sup>1</sup>

#### *C. Interview of DHS Client [client 1]*

On February 16, 2011, the OEIG interviewed [client 1]. [Client 1] said that she has been going to the Center to receive benefits for approximately twelve years. In June 2010, [Client 1] said that she went to the Center for a redetermination of her benefits and learned that Mr. Hawkins had been assigned her case.

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<sup>1</sup> Despite numerous attempts, the OEIG was unable to interview [client 3].

[Client 1] said that she met with Mr. Hawkins in his private office and he told her that she was required to complete a new benefits application. While completing the benefits application, [client 1] said Mr. Hawkins began sharing, what she believed was, inappropriate information. Specifically, [client 1] said Mr. Hawkins:

- Told her that she reminded him of his girlfriend;
- Repeatedly complimented her on her appearance;
- Let her know that he was a practicing Muslim and resided in Chicago; and
- Said that he was estranged from his family and had been homeless for a brief period of time.

[Client 1] told the OEIG investigator that she felt that Mr. Hawkins's questions and comments were inappropriate, but that she had no choice but endure it. [Client 1] also said that after she completed the benefits application, Mr. Hawkins refused to process it. According to [client 1], Mr. Hawkins told her that he would only process the benefits application if she returned the next day to have lunch with him.

[Client 1] told the OEIG that she later filed her benefits application via telephone to avoid meeting with Mr. Hawkins. She said that she spoke with a caseworker named "[employee 1]." She also said that the next time she went to the Center, she asked to speak with Mr. Hawkins's supervisor and informed the supervisor that she did not want to see Mr. Hawkins again and requested a new caseworker.

#### *D. Interview of [employee 1]*

On February 16, 2011, the OEIG interviewed [employee 1]. [Employee 1 is a caseworker at the Center.] [Employee 1] said that he recalled receiving a telephone call from [client 1]. According to [employee 1], [client 1] said that she had been to the Center to submit a benefits application and that Mr. Hawkins was her caseworker. [Client 1] said that Mr. Hawkins asked to meet her outside of the Center and that she was uncomfortable around Mr. Hawkins. [Client 1] asked [employee 1] if it was possible to have a caseworker other than Mr. Hawkins assigned to her case.

[Employee 1] informed [client 1] that he could process her benefits application over the telephone and did so. [Employee 1] said that he also told [client 1] that she could ask for him next time she came into the Center. [Employee 1] indicated that he last saw [client 1] when she came to the Center approximately six months later.

#### *E. Interview of DHS Client [Client 2]*

On February 14, 2011, the OEIG interviewed [client 2]. [Client 2] said she had been going to the Center for approximately four months and that in either November or December 2010, she went to the Center to request an adjustment to her benefits. [Client 2] said her case was assigned to Mr. Hawkins and that she first met Mr. Hawkins in the Center's reception area. After meeting in the reception area, they went to Mr. Hawkins's private office.

During her meeting with Mr. Hawkins in his private office, he asked her where she came from because he said he could detect that she had an accent. In response, she said that she was from a small town in Arkansas and that Mr. Hawkins replied that he had a girlfriend from a small town in Arkansas.

[Client 2] thought Mr. Hawkins was staring at her breasts and did so through the entire meeting. [Client 2] also said that Mr. Hawkins said she was a [redacted]. At the conclusion of their meeting, [client 2] said Mr. Hawkins followed her as she exited Mr. Hawkins's office and told her to ask for him the next time she returned.

[Client 2] told the OEIG that she returned to the Center approximately two to three weeks later to file additional paperwork related to her divorce and that Mr. Hawkins was again assigned to assist her. After proceeding to Mr. Hawkins's private office, [client 2] said that Mr. Hawkins again started making inappropriate comments. Mr. Hawkins repeated his discussion of his girlfriend from Arkansas. Mr. Hawkins also asked [client 2] how long she thought men could go without sexual intimacy and questioned her on how long she had gone without sexual intimacy after her separation from her spouse. [Client 2] told the OEIG that she told Mr. Hawkins that she "had a life" and did not think about such things. At the end of their meeting, Mr. Hawkins told [Client 2] to return to the Center with some additional documentation and that she should ask for him when she returned.

[Client 2] said that, because of what occurred, she returned to the Center approximately one week later and complained about Mr. Hawkins's conduct. [Client 2] complained to various DHS employees, including telling a DHS employee behind a desk that Mr. Hawkins was a "pervert." [Client 2] said that she was eventually referred to Mr. Hawkins's supervisor and was subsequently assigned a different caseworker.

#### *F. Interview of DHS Security Officer [Security Officer]*

On February 28, 2011, the OEIG interviewed [security officer]. [Security officer] is a DHS Security Officer at the Center. [Security officer] said that, in February 2011, a DHS client approached him and complained about Mr. Hawkins staring at her breasts and telling her that she was a [redacted] woman. The woman also referred to Mr. Hawkins as a "pervert."

[Security officer] told the OEIG that he recorded the DHS client's complaint in his Daily Activity Report. The OEIG subsequently reviewed [Security officer's] Daily Activity Report for February 7, 2011. The Daily Activity Report states that at 2:40 p.m.:

S/O [security officer] was at Front desk when [client 2] said she did not want to see Mr. Hawkins because he is a "pervert" and makes sexual remarks to her and she is uncomfortable around him.

[Security officer] said that he spoke with Mr. Hawkins about the complaint, but he denied the conduct occurred.

#### *G. Interview of [employee 2]*

On February 14, 2011, the OEIG interviewed [employee 2]. [Identifying information redacted]. Although she did not provide any names, [employee 2] told the OEIG that she has seen Mr. Hawkins talk to coworkers in a manner that she thought inappropriate. [Employee 2] said that she has spoken with Mr. Hawkins and cautioned him about how he addresses women.

[Employee 2] said that she believes that the security officer at the Center has also spoken with Mr. Hawkins about his interaction with women at the Center. When asked whether she had heard any complaints about Mr. Hawkins, [employee 2] recalled an incident outside of the office, when she was approached by a female DHS client.

According to [employee 2], she and co-worker [employee 3] were in a store when a woman approached them. [Employee 2] said the woman was in tears and told her that she (the client) was afraid to return to the Center because of Mr. Hawkins. The woman said that Mr. Hawkins was her caseworker. She also said that Mr. Hawkins had told her that he was attracted to her and that he made passes at her in a sexually aggressive manner. [Employee 2] said that the woman recalled Mr. Hawkins telling her that [redacted]. [Employee 2] said that she advised the woman, whose name she did not know, to talk to a manager at the Center about Mr. Hawkins.

According to [employee 2], the woman was so distraught that during the conversation, a store manager approached them to see if there was a problem.

#### *H. Interview of [employee 3]*

On February 14, 2011, the OEIG interviewed [employee 3]. [Employee 3] is a DHS caseworker and said that she has known Mr. Hawkins and his spouse for a number of years. According to [Employee 3], Mr. Hawkins had never made any inappropriate comments about women to her.

With respect to the incident at the store with [Employee 2] and the unknown DHS client, [employee 3] recalled being approached by both a man and a woman and that the woman asked her ([employee 3]) if she would be her caseworker. [Employee 3] did not recall the woman crying and did not recall hearing comments about Mr. Hawkins. [Employee 3] said that she told the woman to speak with a supervisor.

#### *I. Interview of Anthony Hawkins*

On March 4, 2011, OEIG investigators interviewed Mr. Hawkins. Mr. Hawkins denied making any inappropriate comments to clients and said that he would not treat a client in the manner described by OEIG investigators. Mr. Hawkins denied having asked a client out on a date, discussing his [redacted] with a client, or having a conversation with a client where he said that [redacted]. Mr. Hawkins also told the OEIG that he did not recall ever telling a client that he liked [redacted]. Mr. Hawkins did say, however, that he had dated a [blank] woman while in high school.



Mr. Hawkins denied having any serious personal or financial problems and said that he was happily married and that his spouse was from Arkansas. Mr. Hawkins also said that he was a practicing Muslim who currently resided in [redacted], Illinois.

Mr. Hawkins described himself as a very outgoing person with a demonstrative personality. Mr. Hawkins told the OEIG that he has known some clients for over five years and that it would not be unusual for clients to know some personal information about him. Mr. Hawkins said that if he were telling clients personal information about himself, it would be inappropriate and not related to his duties as a caseworker.

When asked whether he had ever spoken with a co-worker about his interactions with female clients, Mr. Hawkins said that he did not recall ever having such a conversation. Mr. Hawkins also said that he did not recall ever having a conversation with a security officer from the Center about a complaint made against him. Mr. Hawkins did recall an incident in June 2010 where a DHS client complained about him, but it was determined that he had not assisted that particular client. Mr. Hawkins told the OEIG that there is another caseworker at the Center who closely resembles him.

OEIG investigators informed Mr. Hawkins that within the last six months, several female clients had complained about him making inappropriate comments and acting in a way that made them uncomfortable. Mr. Hawkins responded by again denying having made any inappropriate comments to his clients. OEIG investigators then asked Mr. Hawkins if anything may have caused him to act out of character. In response, Mr. Hawkins said that his father died in 2009 and that his father's death had given him (Hawkins) the sense that life is short. Mr. Hawkins also said that he subconsciously began to think about recapturing his youth and he rekindled a friendship with a childhood friend. Mr. Hawkins described his friend as being well-dressed and interacting with women in a way that may be considered inappropriate. Mr. Hawkins told the OEIG that he started going out with his friend and that he started taking on some of his friend's characteristics. Specifically, Mr. Hawkins said that he had adopted a different "swagger," and wanted to feel and act younger. Mr. Hawkins also informed investigators that he then began having problems at home. According to Mr. Hawkins, his wife told him that he was adopting some of his friend's mannerisms.

Mr. Hawkins was then asked again about making inappropriate comments, and responded by stating that he did not recall telling clients that he liked [redacted] women or asking a client how long she thought a man could go without experiencing sexual intimacy. In any event, Mr. Hawkins did tell OEIG investigators that if he had made such comments, they were not in the same context as presented by the OEIG. Mr. Hawkins told the OEIG that during the past six months, he may have made comments that were out of character for him.

During his interview, Mr. Hawkins prepared a voluntary statement. In his statement, he wrote:

I would never intentionally take advantage of a client — I have the utmost respect for my clients and coworkers. I believe that as a result of my father dying recently, I felt a sense of inevitable death and aging. I believe that I responded to

his death by trying to recapture my youth. That is, I believe that this attempt to reclaim my youth manifested as an (out of character) disposition that some may have misconstrued as being swagger. However, I have (or at least don't recall) [sic] saying anything close to the comments that I have been accused of making. Moreover, even though last year was a difficult time for me, I would never intentionally make a customer feel uncomfortable.

### III. Analysis

#### A. DHS Employee Handbook on Sexual Harassment

The DHS Employee Handbook has a section forbidding sexual harassment, which states that, "[e]ach individual employee has the responsibility to refrain from sexual harassment in the workplace."<sup>2</sup> The DHS Employee Handbook gives examples of "verbal" sexual harassment as being: "[v]erbal harassment or abuse or comments; subtle pressure for sexual activity; sexual remarks about a person's clothing, body or sexual activities[.]"<sup>3</sup> One example of "visual" sexual harassment is "leering at a person[.]"<sup>4</sup>

#### B. DHS Administrative Directive on Sexual Harassment

DHS also has an Administrative Directive on "Sexual Harassment"<sup>5</sup> that states "[i]t is the policy of the Department of Human Services (DHS) that sexual harassment will not be tolerated in the workplace and that each employee will be free from this unlawful behavior. It is the responsibility of each employee to refrain from sexual harassment."<sup>6</sup> The directive further states that "[e]ach employee has the responsibility to refrain from sexual harassment in the workplace and may be subject to disciplinary action, up to an including discharge for such infraction."<sup>7</sup>

#### C. DHS Employee Handbook on Personal Conduct

The employee personal conduct section of the DHS Employee Handbook states that, "[a]n employee shall not demonstrate inappropriate behavior or discourteous treatment of the public, co-workers, customers, or applicants[.]"<sup>8</sup>

#### D. Anthony Hawkins Sexually Harassed DHS Clients

##### 1. Anthony Hawkins's Actions Violated the DHS Employee Handbook's Prohibition on Sexual Harassment

The OEIG finds that Mr. Hawkins purposefully took advantage of his position as a caseworker to sexually harass DHS clients. The OEIG concludes that Mr. Hawkins used his

<sup>2</sup> DHS Employee Handbook, Section VI, Mandated Policies.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> DHS Administrative Directive, Sexual Harassment, Number 01.01.01.050 (revised 04/14/06).

<sup>6</sup> *Id.* at "Policy Statement."

<sup>7</sup> *Id.* at "Penalties."

<sup>8</sup> DHS Employee Handbook, Section V, Employee Personal Conduct.

private office to engage in such activity away from public scrutiny while performing his job responsibilities. Mr. Hawkins targeted his clients—a vulnerable segment of society—since they essentially rely on him to receive DHS benefits. Mr. Hawkins made numerous remarks about sexual activities and verbally harassed and abused multiple DHS client through his comments and questions. All of the activities taking place are explicitly listed under the DHS Employee Handbook as forms of verbal sexual harassment.<sup>9</sup>

The OEIG also finds that Mr. Hawkins exerted pressure on a particular client to date him in return for the receipt of state benefits. Specifically, [client 1] told the OEIG that Mr. Hawkins said he would only process her application if she would date him. The OEIG finds [client 1's] recollection of Mr. Hawkins's statements credible. Evidence supporting this conclusion includes the fact that when [client 1] called the Center after her meeting with Mr. Hawkins, her application had apparently not yet been processed and [client 1] had to resubmit her application with a new caseworker over the telephone. Mr. Hawkins's statements and actions in this instance show his willingness to sexually harass his DHS clients and utilize his position to punish clients who rebuff him.

The OEIG also finds that Mr. Hawkins engaged in visual sexual harassment by repeatedly leering at his client. The OEIG finds the statements of [client 2] extremely credible and concludes that Mr. Hawkins stared or leered at her breasts while he spoke with her.

In determining that Mr. Hawkins sexually harassed his clients, the OEIG weighs the conflicting testimony between Mr. Hawkins and the multiple witnesses. All of the witnesses, other than [employee 3] who admittedly knows Mr. Hawkins and his wife, confirm that Mr. Hawkins made numerous inappropriate comments. For example, [client 1's] account to the OEIG of Mr. Hawkins refusing to process her application unless she met him outside of the Center is supported by [employee 1's] recollection of his conversation with [client 1]. [Client 1's] statements are also supported by the fact that [employee 1] had to process [client 1's] application.

[Client 2's] statements on her dealings with Mr. Hawkins are supported by [security officer's] recollection of his conversation with [client 2] and his contemporaneously created record of his interaction with [client 2], *i.e.*, the Daily Activity Report for February 7, 2011. The term "pervert" was used by [client 2] and [security officer] in their statements to the OEIG and it also appears in the Daily Activity Report for February 7, 2011.

The OEIG finds Mr. Hawkins's repeated denials lack any credibility. While Mr. Hawkins said he would never engage in sexual harassment, these statements are contravened by the clients' statements to the contrary and [supervisor's] statements that she had seen Mr. Hawkins talk to coworkers in a manner that she thought inappropriate. Furthermore, Mr. Hawkins's denial that he ever spoke to a security officer regarding [client 2] is rebutted by both [client 2's] and [security officer's] testimony that such conversation did take place. Lastly, given the totality of the statements and how each witness specifically identified Mr. Hawkins, the OEIG finds it implausible that the complained of actions could be attributed to another DHS caseworker who may resemble Mr. Hawkins.

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<sup>9</sup> DHS Employee Handbook, Section VI, Mandated Policies.



The OEIG finds that Mr. Hawkins's comments and actions constitute sexual harassment under the DHS Employee Handbook. The OEIG therefore finds that this allegation is **FOUNDED**.

*2. Anthony Hawkins Violated the DHS Administrative Directive on Sexual Harassment*

The DHS Administrative Directive on Sexual Harassment clearly states that employees are required to "refrain from sexual harassment" or possibly face termination. Although investigators were unable to determine what Mr. Hawkins exactly meant when he said he adopted a new "swagger," it became clear during the course of the investigation that Mr. Hawkins's behavior manifested itself in conduct that was sexually harassing in nature. Accordingly, the OEIG finds that Hawkins sexually harassed his DHS clients in violation of the DHS Administrative Directive on Sexual Harassment. The OEIG does not find Mr. Hawkins's denials credible given the totality of the witnesses' statements. The OEIG therefore finds that this allegation is **FOUNDED**.

*E. Anthony Hawkins Violated DHS Policy on Employee Personal Conduct*

The OEIG concludes that Mr. Hawkins violated DHS's policy on employee personal conduct, which prohibits inappropriate behavior or discourteous treatment to the public, customers, or applicants. Mr. Hawkins repeatedly asked inappropriate questions of, and made offensive comments to, DHS clients. The OEIG finds that the nature of Mr. Hawkins's questions and comments are clearly inappropriate for the workplace and violate DHS policy.

In making this determination, the OEIG weighs Mr. Hawkins's denial against [supervisor's], [client 1's], [client 2's], [security officer's], [employee 2's], and [employee 3's] testimony. The OEIG finds their respective recollection of events more credible than Mr. Hawkins's denial. In making this determination, the OEIG notes the absence of motive for the witnesses and the similarity of their respective statements about Mr. Hawkins's comments and actions. The OEIG therefore finds that this allegation is **FOUNDED**.

#### **IV. Conclusions and Recommendations**

Following due investigation, the OEIG issues these findings:

- **FOUNDED** – Illinois Department of Human Services caseworker Anthony Hawkins sexually harassed multiple DHS clients in violation of DHS policy.
- **FOUNDED** – Illinois Department of Human Services caseworker Anthony Hawkins sexually harassed multiple DHS clients in violation of a DHS directive.
- **FOUNDED** – Illinois Department of Human Services caseworker Anthony Hawkins violated DHS policy on employee conduct.

The OEIG investigation leaves no doubt that Anthony Hawkins is unsuitable for continued state employment. The OEIG therefore recommends that he be discharged. Any separation agreement reached with Mr. Hawkins must state that he agrees never to seek, nor to accept, employment with the State of Illinois.

No further investigative action is needed and this case is considered closed.

Pat Quinn, Governor



Michelle R.B. Saddler, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762  
401 South Clinton Street • Chicago, Illinois 60607

May 31, 2011

Mr. Ricardo Meza  
Executive Inspector General  
Office of the Executive Inspector General  
For the Agencies of the Illinois Governor  
32 West Randolph Street, Suite 1900  
Chicago, Illinois 60601

RE: OEIG Complaint No: 10-01591

Dear Inspector General Meza:

We are in receipt of your letter dated April 22, 2011 which alleges that Anthony Hawkins, Human Services Caseworker in the Kane-Aurora Family Community Resource Center, violated DHS' directives and policies regarding the sexual harassment of multiple DHS customers. The complaint was investigated by [redacted]. A summary of his findings are outlined below.

DHS is in agreement with the recommended disciplinary action and has started the process to discharge Mr. Hawkins as directed in the OEIG Final Report. A pre-disciplinary meeting was held on May 5, 2011. Mr. Hawkins and his union representative requested a five day time frame to submit a written rebuttal to the charges, which were due on May 11, 2011. On May 12, 2011, a recommendation of disciplinary action was made to the Bureau of Labor Relations, which was based upon the evidence and the rebuttal provided by Mr. Hawkins and his union representative. Therefore, we respectfully request this file be kept open another 30 days to allow for the final discharge proceedings and due process afforded Mr. Hawkins via the AFSCME contract.

Sincerely,

Michelle R.B. Saddler  
Secretary



Pat Quinn, Governor

Illinois Department of Human Services

Michelle R.B. Saddler, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762  
401 South Clinton Street • Chicago, Illinois 60607

August 17, 2011

Mr. Ricardo Meza  
Executive Inspector General  
Office of the Executive Inspector General  
For the Agencies of the Illinois Governor  
32 West Randolph Street, Suite 1900  
Chicago, Illinois 60601

RE: OEIG Complaint No: 10-01591

Dear Inspector General Meza:

Anthony Hawkins, Human Services Caseworker in the Kane-Aurora Family Community Resource Center violated the Illinois Department of Human Services directives and policies regarding sexual harassment with multiple DHS customers. A final update will be provided below regarding the disciplinary action taken by DHS against Mr. Hawkins.

A pre-disciplinary meeting was held on May 5, 2011. Mr. Hawkins and his union representative submitted a written rebuttal to the charges on May 11, 2011. On May 12, 2011, a recommendation of disciplinary action was made to the Bureau of Labor Relations based upon the evidence and the rebuttal provided by Mr. Hawkins and his union representative. The recommendation for discipline was suspension pending discharge. On May 12, 2011, Mr. Hawkins and his union representative were served with a copy of the CMS-2 and disciplinary charges. Effective May 13, 2011, Mr. Hawkins was placed on suspension pending discharge. A discharge date of June 13, 2011, was sent to Mr. Hawkins residence via certified mail. Therefore, DHS considers this matter resolved and respectfully requests that your office close this case.

Sincerely,

Michelle R.B. Saddler  
Secretary



Pat Quinn, Governor

Illinois Department of Human Services

Michelle R.B. Saddler, Secretary

Office of the Secretary  
401 South Clinton Street • Chicago, Illinois 60607  
100 South Grand Avenue East • Springfield, Illinois 62762

September 27, 2011

Ms. Erin Bonales  
Office of the Executive Inspector General  
For the Agencies of the Illinois Governor  
32 West Randolph Street, Suite 1900  
Chicago, Illinois 60601

RE Anthony Hawkins

Dear Ms. Bonales:

In response to your Office's request for additional information on the severance of Anthony Hawkins, I submit the following information.

On June 10, 2011, AFSCME filed Grievance #372772 on behalf of Anthony Hawkins. The Department of Central Management Services sends notice of the discharge approval to AFSCME the same day it is sent to the employee. Mr. Hawkins' discharge was effective on June 12, 2011.

[Redacted], heard the grievance at Step 3, and in early July, entered into a resolution that allowed Mr. Hawkins the opportunity to submit a resignation (with no reinstatement rights to DHS) by the close of business on July 30, 2011. Allowing an employee to submit a resignation with no reinstatement rights can be advantageous to the Department because it avoids the possibility that the discharge will be overturned during the grievance process.

Mr. Hawkins submitted his resignation on July 26, 2011, and the time period from June 12, 2011 to the date of resignation was considered an unpaid leave of absence. Attached are copies of the Statement of Charges, notice of grievance from AFSCME, the Personnel Position Transaction Form, the grievance, the disposition of the charges and the letter of resignation.

Sincerely,

Michelle R.B. Saddler  
Secretary



## STATEMENT OF CHARGES:

Anthony Hawkins  
Human Service Caseworker  
Kane/Aurora FCRC

- Charge:
1. CONDUCT UNBECOMING A STATE EMPLOYEE - in that on or about June 2010, Mr. Anthony Hawkins, Human Service Caseworker at the Kane/Aurora FCRC made inappropriate inquiries and comments to customer, RD regarding processing her benefits.
  2. CONDUCT UNBECOMING A STATE EMPLOYEE - in that on or about June 2010, Mr. Anthony Hawkins, Human Service Caseworker at the Kane/Aurora FCRC made inappropriate comments to customer, RD, and refused to process a benefit application unless customer, RD, returned the next day to have lunch with him.
  3. CONDUCT UNBECOMING A STATE EMPLOYEE - in that on or about November or December 2010, Mr. Anthony Hawkins, Human Service Caseworker at the Kane/Aurora FCRC made inappropriate inquiries and comments to customer CCM during the application process.
  4. CONDUCT UNBECOMING A STATE EMPLOYEE - in that on or about November or December 2010, Mr. Anthony Hawkins, Human Service Caseworker at the Kane/Aurora FCRC made inappropriate sexual comments to customer CCM.

The above stated charge is in violation of the following rules, regulations, policies and procedures of the Department of Human Services:

1. DHS Administrative Directive 01.01.01.050 Sexual Harassment
2. DHS Employee Handbook, Section V - Employee Personal Conduct
3. DHS Employee Handbook, Section VI, Mandated Policies

Prior Discipline: 10/20/08 - Written Reprimand - Tardiness.

Handwritten signature and date: 6-10-11



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Torn Minick

11/10



June 10, 2011

Department of Human Services  
Labor Relations Unit  
100 S Grand Avenue East  
3<sup>rd</sup> Floor  
Springfield, IL 62762

Dear Labor Relations:

In accordance with the provisions of Article V, Section 4 of the grievance procedure, accept this as notice that AFSCME Council 31 is forwarding Grievance #372772 to the third level.

Sincerely,

Emily Johnson  
Collective Bargaining Representative  
AFSCME Council 31

EJ:dc

**American Federation of State, County and Municipal Employees, Council 31**

TEL (217) 788-2800 FAX (217) 788-2812 (2nd Floor), (217) 753-2005 (3rd Floor) 615 E. 2nd St., PO Box 2328 Springfield, Illinois 62705-2328

AFSCME 31615

JUN-10-2011 16:05

217 788 2812 P.01/04

PRINTED		ILLINOIS DEPARTMENT OF CENTRAL MANAGEMENT SERVICES PERSONNEL/POSITION ACTION FORM										SOCIAL SECURITY NO. [Redacted]	
EMPLOYEE INFORMATION													
LAST NAME		FIRST NAME		SEX	RACE	NET	EDUC	TECH	DATE OF BIRTH				
HAWKINS		ANTHONY		B	M	B	Y	5	1 [Redacted]				
STREET ADDRESS				CITY		COUNTY	STATE	ZIP CODE		MAIL ORG			
[Redacted]				PLAINFIELD		089	IL	80544					
PAY PLAN	PAY GRADE	PAY STEP	SALARY	PAY RATE	PULL/PT	FUNDING	PAYROLL	CODE	CORRECTED SOCIAL	SARGENT	PERM		
B	00	05	4619	00	M	F	10	110		RC062			
CONTINUOUS SERVICE DATE		SENIORITY DATE		CREDITABLE SERVICE DATE		APPT. INFORMATION DATE		STATUS		SUSPENSION/DA RETURN DATE			
07-01-2005		07-01-2005		07-01-2010				A					

POSITION INFORMATION						
POSITION TITLE (NAME) and OPTION		POSITION NUMBER		GRAT CODE	WORK COUNTY	AM AUTH
HUMAN SERVICES CASEWORKER		19785-10-92-053-11-01		0	045	

TRANSACTION INFORMATION				CODES	
TRANSACTION NAME	TRANS CODE	EFFECTIVE DATE	PRIOR	1-1000	1-1000
1 DISCHARGE	BA122	06-12-2011			
2					
3					
4					

REMARKS	
Conduct unbecoming a state employee. See attached charges.	
Pre D May 5, 2011	

EMPLOYEE SIGNATURE (REQUIRED ON VOLUNTARY ACTIONS)	DATE	AGENCY APPROVAL (OPTIONAL)	DATE
SIGNATURE OF PERSON SERVING SUBJECT	DATE	AGENCY BUDGETARY (OPTIONAL)	DATE
BY MAIL <input type="checkbox"/> PERSON <input type="checkbox"/>	DATE	AGENCY HEAD APPROVAL	DATE

AFSCME / State of Illinois  
CONTRACT GRIEVANCE

**PRIORITY** 372772

Employee's Name Anthony Hawkins Agency DHS AFSCME Local No. 2833 Date Raised at Step 1 6/10/2011  
Job Title Human Services Caseworker RC 062 Facility or Office Department of Human Services

**STEP 1 - Oral Step**  
**NOT APPLICABLE**

Signature of immediate supervisor acknowledging discussion of grievance. \_\_\_\_\_ (DATE) \_\_\_\_\_

**STEP 2 - (To be submitted within 5 work days after supervisor's answer given or due, whichever occurs first.)**  
**Statement of Grievance** (Include facts of the complaint, sections of the Agreement violated - if applicable, and relief requested):

I grieve that I have been discharged and/or suspension pending judicial verdict without just cause in violation of Article IX and all other pertinent articles and sections of the collective bargaining agreement.

I ask that this action be rescinded and that I be made whole for all wages and benefits deprived me as a result of this unwarranted action taken by the employer.

EMPLOYEE \_\_\_\_\_ AFSCME hereby appeals the grievance to Step 2. June 10, 2011 (Union Representative) 6/10/11 (DATE)

Date received by Intermediate Administrator or Designee \_\_\_\_\_ (DATE) \_\_\_\_\_ (INITIALS)  
Answer (to be given within 15 working days of receipt - use attachment if additional space is required) \_\_\_\_\_  
Date settlement meeting held \_\_\_\_\_

NOT APPLICABLE

RECEIVED

FLR OF LABOR RELATIONS

*Entered*

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Employer Representative)

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Union Representative)

☐ Accepted by Union ☐ Rejected by Union

**STEP 3 - To be submitted to Agency Head (certified mail - return receipt recommended) within 15 working days after Step 2 answer was given or due, whichever occurs first. Local must send copy to Council 31 (include fact sheets, information and documentation with Union copy only.)**

AFSCME hereby appeals the grievance to Step 3 Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Union Representative)

**STEP 4 - To be submitted to Director of Central Management Services within 15 days after Step 3 sign off.**  
AFSCME hereby appeals the grievance to Step 4. Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Union Representative)



Pat Quinn, Governor

Illinois Department of Human Services

Michelle R.B. Saddler, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762  
401 South Clinton Street • Chicago, Illinois 60607

July 8, 2011

Ms. Vilma Torres  
Local Office Administrator  
Kane County FCRC - Aurora  
361 W. Old Indian Trail  
Aurora, IL 60506-2430

Dear Ms. Torres:

Attached is the Step Three Disposition to the grievance listed below:

<u>NAME</u>	<u>DHS GRIEVANCE NO.</u>
Hawkins, Anthony	RC62-33-372772

Sincerely,

/  
Rebecca Stone  
DHS Hearing Officer

RS:cec

Attachment

cc: Robert Holas  
Elizabeth Sarmiento  
Joan Bortolon  
Rebecca Wagner  
Grievant  
File



**THIRD LEVEL GRIEVANCE RESOLUTION**

**GRIEVANCE #:** RC62-33-372772

**GRIEVANT:** Anthony Hawkins

**AGENCY:** Department of Human Services  
Kane/Aurora FCRC

**ISSUE:** Resignation

**RESOLUTION:** In full and complete resolution of the above-captioned matter, the parties agree:

1. The Discharge of the Grievant, Anthony Hawkins, shall be reversed. The Grievant, Anthony Hawkins, agrees to resign and hereby voluntarily resigns his Human Services Caseworker position with the Department of Human Services and further agrees not to either seek or accept re-employment with the Department of Human Services, State of Illinois, at any time in the future.
2. Upon receipt of the written resignation by the Department, the personnel records of Anthony Hawkins will be purged of any mention of discharge, but will contain a copy of the resignation. The time period from June 12, 2011 until the date of resignation shall be considered an unpaid leave of absence. DHS agrees not to protest Unemployment Benefits.
3. Should the Grievant, Anthony Hawkins, fail to provide a written resignation by close of business on July 30, 2011 the parties agree that Anthony Hawkins will be considered as discharged.
4. The Union and the Grievant, Anthony Hawkins, agree to refrain from initiating any grievance, administrative or other judicial proceedings arising out of this discharge action or the circumstances that led to the filing of charges of discharge.
5. This resolution is made without precedent or prejudice in the disposition of other cases.

\_\_\_\_\_  
For the Employer

DHS

7/8/11

Date

\_\_\_\_\_  
For the Union

AFSCME Council 31

7/7/11  
Date

[redacted]

July 26, 2011

Anthony B. Hawkins  
HSCW  
IL. Department of Human Services – Human Capital Development  
361 W Old Indian Trail  
Aurora, IL. 60506

RE: AFSCME Council 31 and State of Illinois (DHS)  
Grievance No. 372772  
Case No. RC62-33-372772

Dear Ms. Rebecca Stone:

I regret to inform you that I am resigning from my position as Human Service Caseworker for the Illinois Department of Human Services effective immediately.

Thank you for the training, support, and the opportunities that you have provided me during the last six years.

If I can be of any assistance during this transition, please let me know. I would be glad to help however I can.

Sincerely,

Anthony B. Hawkins



10/16/2011

To whom it concerns,

Thank you for giving me the opportunity to provide a response.

I request that you do not make the summary report public because the findings by OEIG are a fallacious leap grounded in hearsay. I have emphatically refuted the allegations. I simply did not make inappropriate comments to any customer. Further, I ask that you add the following comment to your redacted report:

I have worked extremely hard for the past six years to create and build a career as a Human Service Caseworker. I have gone beyond the call of duty to help customers who were in desperate need of food and Medicaid assistance. However, as I said in my official rebuttal, I have never made inappropriate comments to any customer. It is not my way to make people feel uncomfortable – especially when one is most in need of my help. These allegations were carefully extracted, isolated, and framed to paint an undesirable image of me. For, it is inevitable that - when one interviews and assists thousands of food stamp applicants and is inundated with thousands of food stamp and Medicaid applications per month - some customers will make accusations. Often customers make accusations out of the frustration they feel for having to wait behind hundreds of applicants for their food stamp applications to be processed. Indeed, just as these few customers claim I made them uncomfortable, I have received countless praises and appreciations from DHS customers and co-workers for being polite, friendly, and courteous. I have received thank you cards, holiday cards, candy, and a lot of “thanks for making this process easier for me”. I can’t remember many of their names but the effect of receiving appreciation from these customers helped me through the disappointment of losing my job as a HSCW.

The irony of course is that while trying to help so many hungry, desperate, hopeless individuals I have myself become so. It is not fair and frankly unjust that I have lost my job of six years, my family’s health insurance, my car, my credit rating, possibly my home, and most of all my good reputation because of alleged comments I have repeatedly refuted.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Hawkins', with a long horizontal stroke extending to the right.

Anthony Hawkins